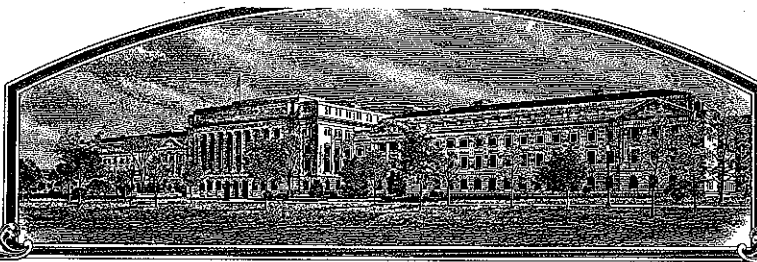


No.

200400021



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Celex R. V.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

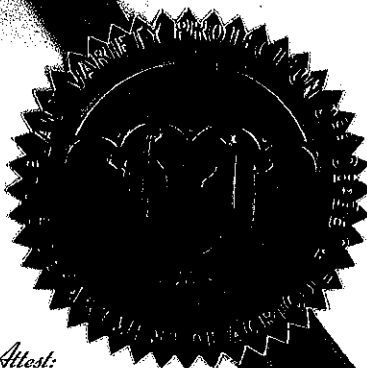
NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

COCKSCOMB

'Celkocrea'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this sixth day of March, in the year two thousand and six.

Attest:



Be m Zales
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

W. H. Johnson
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Celex B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME		3. VARIETY NAME CELKOCREA	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) Zijlhoeklaan 9 2235 SK Valkenburg The Netherlands		5. TELEPHONE (include area code) (071) 407-5530		FOR OFFICIAL USE ONLY PVPO NUMBER 20040 0021 FILING DATE Oct. 31, 2003	
		6. FAX (include area code) (071) 407-3773			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION NETHERLANDS		9. DATE OF INCORPORATION mei 1, 1993	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Michael Aulenbach Royalty Administration International 10175 Ben.C. Pratt/Six Mile Cypress Parkway, Suite 3 Fort Myers, Florida 33912				FILING AND EXAMINATION FEES: \$ 3652.00 DATE 10/31/03 CERTIFICATION FEE: \$ 768.00 DATE 2/27/06	
11. TELEPHONE (include area code) (123) 927-8917		12. FAX (include area code) (123) 927-8991		13. E-MAIL royalty@coconet.com	
14. CROP KIND (Common Name) Celosia		16. FAMILY NAME (Botanical) Amarantacca		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Celosia argentea		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 		SIGNATURE OF OWNER 			
NAME (Please print or type) Henricus Gerardus Adrianus van der Boog		NAME (Please print or type) Henricus Gerardus Adrianus van der Boog			
CAPACITY OR TITLE Director		DATE 10/14/2003		CAPACITY OR TITLE Director	
				DATE 10/14/2003	

(See reverse for instructions and information collection burden statement)

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give:
- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 - (2) the details of subsequent stages of selection and multiplication;
 - (3) evidence of uniformity and stability; and
 - (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

U.S. 1st Sale 10 February 2003

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

EU 03-24-2003 EU 10773

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

CELOSIA ARGENTEA var.

VARIETY: CELKOCREA

14A. EXHIBIT A: ORIGIN AND BREEDING HISTORY OF THE VARIETY

Pedigree:

In 1996, a mixture of seed from an open pollination was received by the breeder. The parents of this open pollination are unknown. There are no details known at all about the start of the selection. The breeder cannot remember where he got the seeds from and, after saving them, the mixture did not have a name. Only after the breeder discovered some interesting plants did he start the registration of details.

2. The applicant at some point received seeds of Celosia from another company that was no longer interested and had stopped their program. Nobody in this company knew or could remember from what lines the seeds were harvested. After checking again, they said that most likely one of the parent varieties (some generations back) was a Celosia plumosa: the variety Gerana Red. This variety was known to be genetic short and was treated with radiation (most likely gamma) in the hope to create colour mutants. Once the applicant had sown the seeds all they did (could do) was try to let survive as many seedlings as possible and see if attractive flower-types and colours could be found. Apart from the majority of plumosa types, they found some of the more attractive spicata types in various lengths. The applicant has selected from those the short (compact) specimens in various colours. Out of this group they have selected after repeated test some good varieties that together form the Kosmo series. One of these varieties is 'Celkocrea'.

Breeding derivation and methods of breeding:

Separate flower colors were developed during the 1990's by the applicant. The individual flower colors segregated due to heavy selection procedures over 4 generations of propagation. The selection was made by hand pollination within a group of similar individuals. The seeds were sown the following season and the procedure repeated.

In 1998, a first selection was made from the open pollination mixture seed. One plant was selected. First selection criteria used for this variety was the fact that this was a genetic compact Celosia argentea var. spicata. Later the disease resistances were also monitored. The fact that this was a genetic compact Celosia was indeed the only selection criteria. No disease resistances were tested in 1998 and later on no other traits apart from the disease resistances were used. -> 'Code 94-210 A'

3. We can understand that the matter with the disease resistance is confusing. Disease resistance has not been tested during the development of the variety. By testing the applicant means the actively infecting the plants and see how the plants will react and if they will survive. The applicant did however declare that in a later stage of the breeding (2001) they did monitor disease resistance. By monitoring they mean that, without actively infecting plants, they kept count of the number of plants per selection that died of diseases, calculated the percentage, and selected the 'strongest' selection per colour-group for variety introduction.

This plant was then self pollinated and, in 1999, a group of 25 plants was selected to be used as propagation plants for basic seed production. -> '99-210 A'

In 2000 and 2001, this basic seed was tested again and a small selection was made. 25 plants were selected in 2000, and 250 plants were selected in 2001. -> '99-210 A'

This '99-210 A' selection was then self pollinated on a large scale to produce several kilograms of production seed.

This production seed can then be used for several years to supply good quality plants. Once per 3 years the '99-210 A' selection will be used to produce new production seed. All propagation is done by self pollination.

Genetic stability:

CELKOCREA appears stable and uniform through 4 generations and during the applicant's seed increase programme. CELKOCREA is a 99.8% stable variety and has 0.2% variants. The variants are chimaera plants that have a small pink stripe through the flower. Flower color off-types do not appear.

CELOSIA ARGENTEA var.

VARIETY: CELKOCREA

14B. EXHIBIT B: NOVELTY STATEMENT

CELKOCREA is most similar to the variety CELKOPURED.

Flower color of CELKOCREA is cream white (RHS 157A to RHS 157B). Flower color of CELKOPURED is purple/red (RHS 71B).

CELKOCREA has no other similar variety because it has an unique flower shape. Whereas other Celosia cultivars only have single flowers, CELKOCREA has more flowers together in a group.

We have included detailed photographs showing CELKOCREA together with the comparison variety CELKOPURED and another variety in the same series, CELKOPI. The flower color difference is evident, and the shape of the flowers in this series are displayed.

200400021



CELKOCREA



CELKOCREA

CELKOPI

CELKOPURED

20040 0021

14C. EXHIBIT C: OBJECTIVE DESCRIPTION OF THE VARIETY

**UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE**

**OBJECTIVE DESCRIPTION OF VARIETY
CELOSIA (CELOSIA ARGENTEA var.)**

NAME OF APPLICANT:

Celex BV

ADDRESS OF APPLICANT:

Zijlhoeklaan 9
2235 SK Valkenburg
The Netherlands

VARIETY NAME OR TEMPORARY DESIGNATION:

CELKOCREA

LOCATION OF TESTAREA

Valkenburg and Wageningen in The Netherlands

ENVIRONMENTAL AND CULTURAL CONDITIONS

See attached fax

NUMBER OF PLANTS USED FOR DESCRIPTION

5 gr. seed

1. TYPE:

2 1 = OUTDOOR ANNUAL 2 = GREENHOUSE FORCING 3 = OTHER

2. PLOIDY:

1 1 = DIPLOID 2 = TETRAPLOID 3 = OTHER

3. PLANT:

2 1 = BASALLY BRANCHING 2 = NOT BASALLY BRANCHING

1 GROWTH FORM: 1 = UPRIGHT 2 = SEMI-PROSTRATE 3 = PROSTRATE

12 CM AVERAGE STEM LENGTH, SOIL LEVEL TO TOP OF INFLORESCENCE

2 PLANT HEIGHT CLASS: 1 = VERY DWARF 2 = DWARF 3 = SEMI DWARF
4 = TALL5A ^{Average} RHS STEM COLORmore specific { Stem color at base: Yellow/Green RHS 151B
Upper stem color: Green RHS 145C

4. FOLIAGE

1 UPPER SURFACE LEAF COLOR: 1 = LIGHT GREEN 2 = MEDIUM GREEN
3 = DARK GREEN 4 = OTHER RHS 137C1 LOWER SURFACE LEAF COLOR: 1 = LIGHT GREEN 2 = MEDIUM GREEN
3 = DARK GREEN 4 = OTHER RHS 138B

2 UPPER SURFACE LUSTER: 1 = DULL 2 = SHINY

2 LOWER SURFACE LUSTER: 1 = DULL 2 = SHINY

1 UPPER SURFACE PUBESCENCE: 1 = ABSENT 2 = LIGHT 3 = HEAVY

1 LOWER SURFACE PUBESCENCE: 1 = ABSENT 2 = LIGHT 3 = HEAVY

4 LEAF SHAPE: 1 = ELLIPTIC 2 = OBOVATE 3 = OVATE 4 OTHER: DELTOID

130 MM LEAF LENGTH

70 MM LEAF WIDTH

1 LEAF MARGIN: 1 = ENTIRE 2 = SERRATE 3 = OTHER

JMS 10/4/04
JMS 2/1/05

5. INFLORESCENCE:

90 AVERAGE DAYS FROM SOWING TO FIRST FLOWERING105 AVERAGE DAYS FROM SOWING TO MID-FLOWERING30 LENGTH OF FLOWERING SEASON, AVERAGE NUMBER OF DAYS2-4 FLOWERING SEASON: 1 = VERY EARLY 2 = EARLY 3 = MID-SEASON
4 = LATE 5 = CONTINUOUS2 CM AVERAGE INFLORESCENCE LENGTH2 CM AVERAGE INFLORESCENCE WIDTH2 CM AVERAGE INFLORESCENCE HEIGHT157 A/B RHS INFLORESCENCE COLOR *Green/white*6 AVERAGE NUMBER OF FLOWERS PER INFLORESCENCE- AVERAGE NUMBER OF DAYS VASE LIFE (without conditioner): POTPLANT1 FRAGRANCE: 1 = NONE 2 = MILD 3 = STRONG

6. SEEDS:

1 MM SEED LENGTH1 MM SEED WIDTH1 MM SEED THICKNESS0.1 GM WEIGHT PER 100 SEEDS2 SEED CIRCUMFERENCE SHAPE: 1 = SQUARE 2 = ROUND 3 = OTHER5 SEED COAT COLOR: 1 = WHITE 2 = CREAM 3 = TAN 4 = BROWN
5 = OTHER: BLACK *RHS 202A*1 SEED UNIFORMITY: 1 = VERY UNIFORM 2 = UNIFORM SHAPE
3 = UNIFORM SIZE 4 = UNIFORM COLOR 5 = VERY VARIABLE*SMS 10/4/04**SMS 10/4/04*

7. ANTHOCYANIN: 1 = PRESENT 2 = ABSENT

2 STEM 2 LEAVES 2 FLOWERS

8. DISEASE / INSECT RESISTANCE (Rate from 1 as most susceptible to 9 most resistant)

RATING	DISEASE / INSECT NAME
<u>1</u>	APHIDS
<u>1</u>	THRIPS
<u>4</u>	LEAF MINERS
<u>3</u>	BOTRYTIS (FLOWER)

9. ENVIRONMENTAL TOLERANCE:

1 = NOT TOLERANT 2 = MODERATELY TOLERANT 3 = TOLERANT

1 LOW LIGHT

1 LOW TEMPERATURE

3 HIGH TEMPERATURE

2 DROUGHT

10. DEGREE OF RESEMBLANCE:

1 = APPLICATION VARIETY IS LESS THAN COMPARISON VARIETY

1 = APPLICATION VARIETY IS SAME AS COMPARISON VARIETY

1 = APPLICATION VARIETY IS MORE, BETTER, DARKER, MORE RESISTANT THAN COMPARISON VARIETY

DIFFERENCE WITH ONLY KNOWN SIMILAR VARIETY BY APPLICANT:

FLOWERCOLOR CELKOCREA 157 A/B

FLOWERCOLOR CELKOPURED 63 A

713

JMS 2/1/05



CELOSIA ARGENTEA var.

VARIETY: CELKOCREA

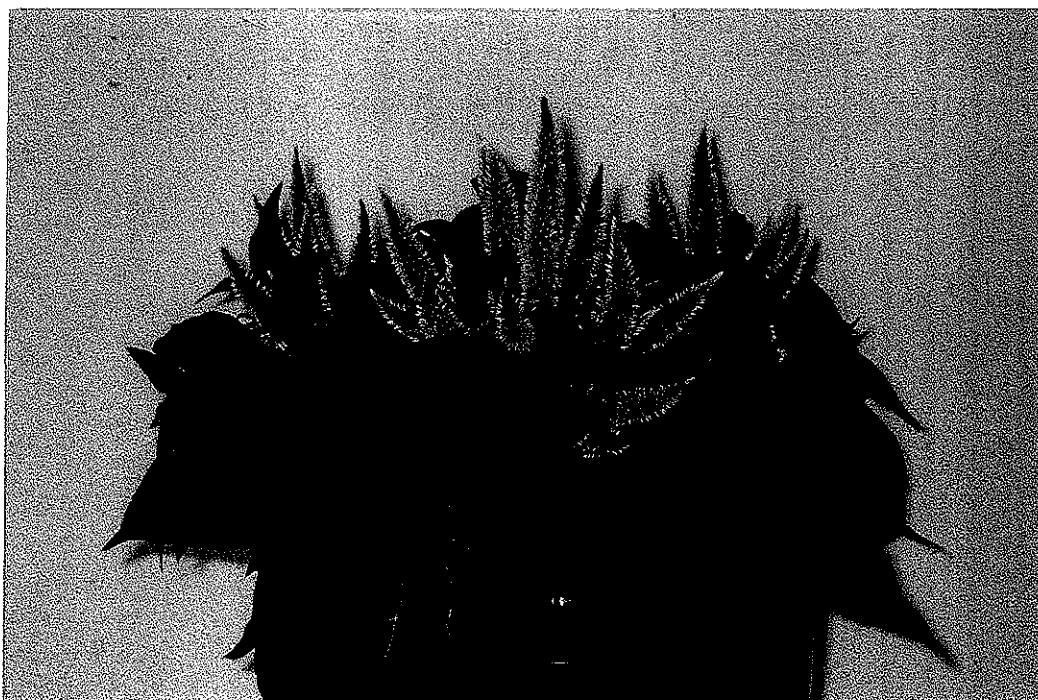
14D. EXHIBIT D: ADDITIONAL DESCRIPTION OF CELKOCREA

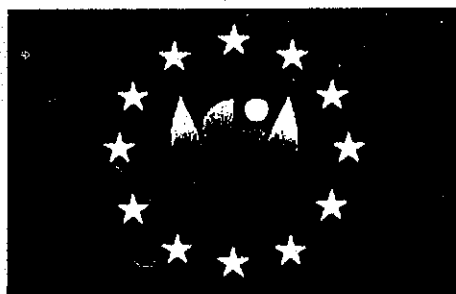
Intended use:

Potplant

Additional description:

Plant Variety Protection in Europe has been applied for CELKOCREA under the number 2001/1142. The period of testing was 2002 with a positive result for the DUS test. The report of technical examination has not been finalized yet.





CERTIFICATE ON THE GRANT OF COMMUNITY PLANT VARIETY RIGHTS

THE COMMUNITY PLANT VARIETY OFFICE HEREBY ACKNOWLEDGES THE GRANT OF
COMMUNITY PLANT VARIETY RIGHT BY ITS DECISION N° EU 10773 OF 24 MARCH 2003
TAKEN IN ACCORDANCE WITH COUNCIL REGULATION (EC) N° 2100/94 ON COMMUNITY
PLANT VARIETY RIGHTS, WITH EFFECT FROM THE DATE OF THE DECISION REFERRED TO
ABOVE, FOR

**CELEX B.V.
ZIJLHOEKLAAN 9
NL - 2235SK VALKENBURG**

AS HOLDER OF THIS RIGHT,

REPRESENTED BY

ROYALTY ADMINISTRATION INTERNATIONAL C.V.

BEING DOMICILED OR HAVING HIS SEAT OR ESTABLISHMENT IN

**NAALDWIJKSEWEG 350-POSTBUS 156
NL - 2690 AD 'S GRAVENZANDE**

IN RESPECT OF THE VARIETY OF *Celosia L.* BEARING THE DESIGNATED DENOMINATION

CELKOCREA

FOR A PERIOD EXPIRING ON 31 DECEMBER 2028 AT THE LATEST.

THE COMMUNITY PLANT VARIETY RIGHT HAS UNIFORM EFFECT WITHIN THE TERRITORY
OF THE EUROPEAN COMMUNITY AND MAY NOT BE TRANSFERRED IN RESPECT OF THIS
TERRITORY OTHERWISE THAN ON SUCH UNIFORM BASIS. IT CAN BE EXERCISED AND
ENJOYED BY THE HOLDER IN ACCORDANCE WITH COUNCIL REGULATION N° 2100/94 ON
COMMUNITY PLANT VARIETY RIGHTS.

THIS ACKNOWLEDGEMENT DOES NOT AFFECT THE REQUIREMENT OF THE HOLDER TO
PAY THE FEES DUE FOR EACH YEAR OF DURATION OF THE COMMUNITY PLANT VARIETY
RIGHT.

**President of the
Community Plant Variety Office
Bart KIEWIET**

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E

STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Celex B.V.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME CELKOCREA
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) Zijlhoeklaan 9 2235 SK Valkenburg The Netherlands	5. TELEPHONE (Include area code) (071) 407-5530	6. FAX (Include area code) (071) 407-3773
	7. PVPO NUMBER 200400021	

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☐ YES ☒ NO

The Netherlands

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The breeder is Mr. Peter Maurits, co-owner of the Breedingcompany Celex B

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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CELOSIA ARGENTEA var.

VARIETY: CELKOCREA

14E. EXHIBIT E: STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP:

The variety for which Plant Variety Protection is hereby sought was developed and owned by Celex
Bv., Valkenburg The Netherlands